

Message Text

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EXDIS

E.O. 11652: GDS

TAGS: PFOR

SUBJECT: CSCE: MEETING WITH SOVIET DELEGATION HEAD

REF: STATE 228527

1. SUMMARY: AT LUNCHEON GIVEN BY BOSTER NOVEMBER 20, SOVIET DELEGATION HEAD, DEPUTY FOREIGN MINISTER KOVALEV, TOOK GENERALLY POSITIVE ATTITUDE TOWARD CURRENT STATUS CSCE WORK AND FOR FIRST TIME TACITLY ACKNOWLEDGED--WITHOUT COMPLAINT--THAT CONFERENCE WOULD NOT BE OVER THIS YEAR. HE REITERATED SOVIET INTEREST IN PRINCIPLE OF INVIOABILITY OF FRONTIERS AND NEED FOR STATEMENT OF NON-INTERFERENCE PRINCIPLES IN PREAMBLE TO SPECIFIC HUMANITARIAN COOPERATION AGREEMENTS. HE RESPONDED ONLY IN VERY GENERAL TERMS TO OUR SUGGESTION THAT SOME NEW APPROACH TO "LAWS AND CUSTOMS" ASPECT OF PREAMBLE BE CONSIDERED IN LIGHT OF STRONG WESTERN OPPOSITION TO THIS PRINCIPLE. END SUMMARY.

2. GENERAL COMMENTS. DURING CONVERSATION AT LUNCHEON GIVEN BY BOSTER NOV 20 (DEPUTY FOREIGN MINISTER KOVALEV, AMB. MENDELEVICH, ROZANOV AND INTERPRETER WERE PRESENT ON SOVIET SIDE, AND JENKINS AND MARESCA ON US SIDE), KOVALEV EXPRESSED MODERATE SATISFACTION WITH COURSE OF CONFERENCE TO DATE, AGREEING THAT IT WAS PRO-SECRET

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CEEDING IN POSITIVE AND BUSINESS-LIKE ATMOSPHERE WHICH MIGHT PERMIT SOME DEGREE OF OPTIMISM ABOUT OUTCOME. HE COMMENDED CONSTRUCTIVE INFORMAL RELATIONSHIP WHICH HAD EXISTED BETWEEN SOVIET AND US DELEGATIONS AND SAID HE

EXPECTED IT TO CONTINUE. BOTH DELEGATIONS, HE SAID, SHOULD KEEP THEIR ALLIES IN LINE WHEN THEY SHOWED A TENDENCY "TO GO TOO FAR", AN ALLUSION LATER EMBROIDERED TO MAKE IT CLEAR IT REFERRED, IN OUR CASE PARTICULARLY TO UK.

3. INVIOALITILTY OF FRONTIERS. COMMENTING ON BOSTER'S STATEMENT OF OUR CONCERN THAT TREATMENT OF THIS SUBJECT INCLUDE A PROVISION FOR PEACEFUL CHANGE OF FRONTIERS, KOVALEV SAID HE WOULD LIKE TO CLARIFY SOVIET POSITION. IN SOVIET VIEW, PRINCIPLE OF INVIOALABILITY OF FRONTIERS WAS QUITE DIFFERENT AND SEPARATE FROM IDEA OF PEACEFUL CHANGE. SOVIETS ACCEPTED THAT RECTIFICATIONS OF BORDERS CAN ALWAYS TAKE PLACE IN EXERCISE OF SOVEREIGN RIGHTS OF STATES CONCERNED, BUT PRINCIPLE OF INVIOALABILITY OF FRONTIERS SHOULD BE CRYSTAL CLEAR AND STAND BY ITSELF; IT SHOULD NOT HAVE AND "CRACKS" WHICH MIGHT SERVE TO UNDERMINE IT. BOSTER SAID WE FULLY UNDERSTOOD SOVIET CONCERN ABOUT THIS PRINCIPLE; NEVERTHELESS, SINCE WE ALL ACKNOWLEDGED POSSIBILITY OF PEACEFUL CHANGE, WE DID NOT CONSIDER THAT THIS SHOULD BE REGARDED AS A "CRACK" IN THE INVIOALABILITY PRINCIPLE.

4. BASKET III PREAMBLE. AFTER KOVALEV HAD REITERATED SOVIET INTEREST IN PREAMBLE TO SPECIFIC AGREEMENTS IN HUMANITARIAN COOPERATION BASKET, BOSTER DREW ON PARAGRAPHS 1 AND 2 OF REFTTEL TO SAY THAT WE WERE PAYING CAREFUL ATTENTION TO SOVIET CONCERN ON POINT OF PREAMBLE AND SOVIET DESIRE TO INCLUDE REFERENCE TO LAWS AND CUSTOMS IN IT. WE HAD QUIETLY SUPPORTED ADOPTION OF FRENCH "MINI-BASKET" PROPOSAL IN BASKET III AS A WAY TO KEEP QUESTION OF PRE-AMBULAR LANGUAGE FOR BASKET III IN PLAY. WE SHOULD BE FRANK TO TELL SOVDEL HOWEVER THAT THERE WAS STONG WESTERN OPPOSITION TO AN INCLUSION OF A REFERENCE TO "LAWS" AND CUSTOMS" AND WE THEREFORE WONDERED WHETHER THEY HAD GIVEN ANY THOUGHT TO AN ALTERNATE APPROACH TO THIS QUESTION. KOVALEV SAID HE COULD NOT UNDERSTAND WHY SOME WESTERN COUNTRIES OBJECTED TO A REFERENCE TO "RESPECT FOR
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NATIONA LAWS AND CUSTOMS". HE THOUGHT THERE WAS SOME MIS-UNDERSTANDING SINCE SOVIET LAWS AND CUSTOMS WERE NOT OBSTACLES TO INCREASED TIES, AS BREZHNEV HAS SAID PUBLICLY. THERE COULD BE NO OTHER BASIS FOR DEVELOPING CONTACTS, AND SOVIETS WERE PREPARED TO SUPPORT THEIR ARGUMENTS WITH DOCUMENTS ILLUSTRATING AGREEMENTS BWTWEEN WESTERN COUNTRIES WHICH RECOGNIZED THIS POINT. THIS WAS EVEN MORE IMPORTANT, HE SAID, WHEN AGREEMENTS WERE TO BE MADE BETWEEN COUNTRIES WITH DIFFERENT SOCIAL SYSTEMS. SOVIET UNION, HE EMPHASIZED, WOULD IMPLEMENT ANY AGREEMENT IT SIGNED AT CSCE, ESPECIALLY SINCE THIS WOULD TAKE PLACE AT THE HIGHEST LEVEL.

5. ROZANOV (SOVIET LEGAL EXPERT FOR THIRD BASKET) ADDED THAT

SOVIETS WERE PREPARED TO CONSIDER ALL SUBJECTS UNDER DISCUSSION IN HUMANITARIAN CONTACTS AND INFORMATION SUBCOMMITTEES AS SOON AS IT WAS AGREED TO INSCRIBE ALL THREE PRINCIPLES (NATIONAL SOVERIGNTY, NON-INTERFERENCE IN INTERNAL AFFAIRS, AND RESPECT FOR LAWS AND CUSTOMS) IN UMBRELLA PREAMBLE COVERING THESE AREAS. SOVIET LEGISLATION WAS DYNAMIC ENOUGH TO ADAPT TO DETENTE BUT BASIS FOR DETENTE MUST BE RESPECT FOR LEGAL AND SOCIAL SYSTEMS. SUMMING UP, MENDELEVICH SAID SOVIET DESIRE WAS FOR "AN UMBRELLA, NOT A SHIELD." BOSTER CONCLUDED THAT WE HAD BEEN THINKING CAREFULLY ABOUT THIS PROBLEM TO SEE IF THERE WAS A COMPROMISE WHICH MIGHT MEET BOTH CONCERNS, AND HOPED SOVIETS WOULD DO THE SAME AS CONFERENCE WORK PROCEEDED.

6. CHRISTMAS RECESS. BOSTER, IN RESPONSE TO KOVALEV'S QUESTION, SAID HE ASSUMED THERE WOULD BE A RECESS FROM DEC. 14 TO JAN. 14. HE SAID WE APPRECIATED THAT SOVDEL HAD WISHED TO CONCLUDE CSCE BEFORE END OF YEAR BUT WE FELT IT WAS NOT NOW REALISTIC TO EXPECT DRAFTING TO BEGIN UNTIL CHRISTMAS RECESS. ASKED FOR HIS OWN VIEWS, KOVALEV RESPONDED THAT, ALTHOUGH THE WORDS "CHRISTMAS RECESS" DID NOT EXIST IN SOVDEL VOCABULARY, THE IMPORTANT THING WAS THAT CSCE SHOULD PRODUCE FRUITFUL RESULTS. HE ACKNOWLEDGED THAT DRAFTING STATE WOULD BE "DIFFICULT"--EVEN MORE DIFFICULT THAT DIPOLE," MENDELEVICH ADDED.

7. COMMENT. KOVALEV'S POSTURE WAS SOMEWHAT MORE OPTIMISTIC AND RELAXED THAT IT HAS BEEN IN PREVIOUS
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MEETINGS. APART FROM HIS IMPLICIT ACKNOWLEDGMENT THAT CSCE WOULD NOT BE FINISHED THIS YEAR AS SOVIETS HAD ALWAYS HOPED, HIS EMPHASIS ON QUALITY OF RESULTS AND PREDICTION OF DIFFICULT DRAFTING STAGE ALSO IMPLIED ACCEPTANCE OF A LONGER PHASE II THAN ORIGINALLY FORESEEN. KOVALEV SHOWED NO SIGNS OF FLEXIBILITY ON EITHER ISSUE OF INVIOABILITY OF FRONTIERS OR "LAWS AND CUSTOMS" ASPECT OF BASKET III BUT THIS IS NOT SURPRISING AT THIS EARLY STAGE OF THE NEGOTIATIONS. AT SAME TIME, SOVIETS ARE OBVIOUSLY BUILDING A BASIS ON WHICH TO ARGUE THAT CONFERENCE PROGRESS NOW JUSTIFIES BEGINNING DISCUSSION OF POST-CSCE FOLLOW-ON ACTIVITY, A QUESTION WHICH WILL ARISE FOR COORDINATING COMMITTEE NOV. 29. SOVIETS' POSITIVE LINE ABOUT PROGRESS OF CONFERENCE IS UNDOUBTEDLY INTENDED IN PART TO SUPPORT THEIR FORTHCOMING ARGUMENTATION THAT WE SHOULD SOON BEGIN MEETING TO DISCUSS FOLLOW-ON. END COMMENT.BASSIN

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